

CHUNG S. POON (SBN: 191306)  
ANNA KATHRYN BENEDICT (SBN: 221238)  
LAW OFFICES OF CHUNG S. POON  
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Attorneys for Plaintiff  
SriCom, Inc.

UNITED STATE DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SRICOM, INC.

Plaintiff,

v.

EBISLOGIC, INC., ASTERIX CONSULTING,  
INC., ELITE TECHNOLOGY PARTNERS,  
LLC, VMWARE, Inc. and DOES 1 through 20  
inclusive,

Defendants.

Case No.: CV12-00904 LHK

**DECLARATION OF CHUNG S. POON  
IN SUPPORT OF PLAINTIFF'S  
OPPOSITION TO DEFENDANTS'  
MOTION TO DISMISS PLAINTIFF'S  
COMPLAINT**

Date: June 28, 2012  
Time: 1:30 p.m.  
Dept.: Courtroom 8, 4<sup>th</sup> Floor  
Judge: Hon. Lucy H. Koh

I, Chung S. Poon, declare as follows:

1. I am an attorney and counsel of record for plaintiff SriCom, Inc. in connection with the above matter. Each of the matters set forth in this declaration is within my personal knowledge unless so stated, and if called as a witness, I am competent to testify.

2. On or about March 12, 2012, I visited the website for the California Secretary of State located at [www.kepler.sos.ca.gov](http://www.kepler.sos.ca.gov). I used the website's search function for Corporation Name and entered "Sricom." My search revealed that SriCom, Inc. is registered with an entity number of C3448191. Attached as Exhibit A is a true and correct printout of the webpage setting

1 forth SriCom's information with the California Secretary of State.

2 3. I am informed and believe that, on or about March 8, 2012, the president of  
3 Sricom submitted the application to obtain the Certificate of Qualification at the Secretary of  
4 State's office. I am further informed and believe that when the president submitted the  
5 application to the clerk at the Secretary of State's office, he explained the existence of this  
6 lawsuit and attempted to pay the \$250.00 charge referenced in California Corporations Code  
7 section 2203(c). I am further informed and believe that the clerk refused to accept the charge,  
8 stating it was not necessary. Attached as Exhibit B is a true and correct copy of the Certificate of  
9 Qualification received from the Secretary of State's office.

10 4. Attached as Exhibit C are true and correct copies of the receipt of payment of  
11 \$100.00 to the California Secretary of State to obtain the Certificate of Qualification, a copy of a  
12 Sricom check (dated April 15, 2010) paid to the Franchise Tax Board – CA for \$800.00 and a  
13 copy a Sricom check for \$800.00 (dated October 1, 2011) to the Franchise Tax Board – CA for  
14 \$800.00.

15 5. Based on the foregoing, I am informed and believe that plaintiff Sricom, Inc. is  
16 qualified to do business in California and has paid state taxes for at least the past two years.

17 I declare under penalty of perjury that the foregoing is true and correct and this  
18 declaration is executed on Thursday, March 15, 2012 at Oakland, California.

19  
20 DATED: March 15, 2011

LAW OFFICES OF CHUNG S. POON

21  
22 /s Chung S. Poon  
23 Chung S. Poon  
24 Attorney for Plaintiff  
25 SRICOM, INC.  
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